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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Case No. CR-19-00280 RS (TSH)
)	
Plaintiff,)	STIPULATION AND PROTECTIVE ORDER RE
)	MEDICAL INFORMATION [PROPOSED]
v.)	
)	
ROGELIO BELLOSO ALEMAN, et al.,)	
)	
Defendant.)	

With the agreement of the parties, the Court enters the following Protective Order Re Medical Information:

Defendants are charged with various offenses relating to alleged racketeering conduct, including 18 U.S.C. § 1962(d) (Racketeering Conspiracy); 18 U.S.C. § 1959(a)(5) (Attempted Murder in Aid of Racketeering); 18 U.S.C. § 1959(a)(3) (Assault with a Dangerous Weapon in Aid of Racketeering); and 18 U.S.C. § 924(c) (Discharge of a Firearm During and in Furtherance of a Crime). Multiple victims of Defendants' alleged conduct received medical treatment for their injuries. Defendants have requested these victims' medical records. Due to its concerns for the safety and privacy of the victims, the government has agreed to produce redacted copies of these records (hereafter "Protected Medical

Information,” and to bear that designation on each page produced in discovery) to Defendants at this stage of the litigation, contingent upon the entry of a protective order that restricts the access and use of these records.

To ensure that Protected Medical Information is not subject to unauthorized disclosure or misuse, **IT IS HEREBY ORDERED** that defense counsel of record and their legal assistants and paralegals may review the Protected Medical Information produced by the government, but shall not provide any defendant with copies of, or permit any defendant to make copies of or have unsupervised access to, any Protected Medical Information.

Additionally, defense counsel may provide copies of Protected Medical Information to any experts retained to assist with the preparation of the defense in the captioned case. Defense counsel, their assistants, their paralegals, and any experts (collectively referred to herein as “the Defense Team”) who receive discovery under this Order shall be provided a copy of this Protective Order Re Medical Information along with those materials and shall initial and date the order reflecting their agreement to be bound by it.

The discovery produced pursuant to this Protective Order Re Medical Information may only be used for the specific purpose of preparing or presenting a defense in this matter unless specifically authorized by the Court.

This Protective Order Re Medical Information shall also apply to any copies made of any Protected Medical Information covered by this order.

IT IS FURTHER ORDERED that the Defense Team who are granted access to Protected Medical Information produced under this order shall not provide any Protected Medical Information to any third party (*i.e.*, any person who is not a member of the Defense Team as defined above) or make any public disclosure of the same, other than in a court filing, without the government’s express written permission or further order of this Court. If a party files a pleading that references or contains or attaches Protected Medical Information subject to this Order, that filing must be under seal.¹

IT IS FURTHER ORDERED that defense counsel shall return materials subject to this

¹ This Order authorizes such filings under seal and the parties are not required to seek additional authorization from the Court to do so.

1 Protective Order Re Medical Information (including any copies) to the United States within 14 days
2 after whichever event occurs last in time: dismissal of all charges against the defendant; defendant's
3 acquittal; defendant's sentencing; or the conclusion of any direct appeal. After the United States
4 receives documents and materials subject to this Protective Order Re Medical Information, it shall
5 maintain those documents and materials until the period for filing a motion under 28 U.S.C. § 2255 has
6 expired. After the statutory period for filing a motion under 28 U.S.C. § 2255 has expired, the United
7 States is free to destroy documents and materials subject to this order. If defendant is represented by
8 counsel and files a motion pursuant to 28 U.S.C. § 2255, the United States will provide counsel with the
9 documents and materials subject to this Protective Order Re Medical Information under the terms of this
10 Order. Defendant's attorney in any motion under 28 U.S.C. § 2255 shall return the documents and
11 materials subject to this order within 14 days after the district court's ruling on the motion or 14 days
12 after the conclusion of any direct appeal of the district court's order denying the motion, whichever is
13 later. This stipulation is without prejudice to either party applying to the Court to modify the terms of
14 this or any other protective order. This Court shall retain jurisdiction to modify this Protective Order Re
15 Medical Information upon motion of either party even after the conclusion of district court proceedings
16 in this case.

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18 **IT IS SO STIPULATED.**

STEPHANIE M. HINDS
Acting United States Attorney

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20
21 Dated: July 9, 2021

/s/
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ASEEM PADUKONE
Assistant United States Attorneys

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25 /s/
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/s/
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/s/
CHARLES WOODSON
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/s/
MARK VERMEULEN
Counsel for Kevin Ramirez Valencia

/s/
GREGOR GUY-SMITH
Counsel for Alexis Cruz-Zepeda

/s/
DENA YOUNG
Counsel for Kevin Guatemala Zepeda

IT IS SO ORDERED.

Dated:

HON. THOMAS S. HIXSON
United States Magistrate Judge